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16 Attorneys for WAYMO LLC

17 UNITED STATES DISTRICT COURT

18 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

19 WAYMO LLC,

20 CASE NO. 3:17-cv-00939-WHA

21 Plaintiff,

22 vs.

23 UBER TECHNOLOGIES, INC.;
24 OTTOMOTTO LLC; OTTO TRUCKING
25 LLC,

26 Defendants.

27
28 **DECLARATION OF JONATHAN
FRANCIS IN SUPPORT OF PLAINTIFF
WAYMO LLC'S ADMINISTRATIVE
MOTION TO FILE UNDER SEAL ITS
PRÉCIS IN SUPPORT OF ITS REQUEST
TO FILE A MOTION *IN LIMINE* TO
PRECLUDE EVIDENCE OR ARGUMENT
REGARDING UBER'S USE OF
EPHEMERAL COMMUNICATIONS,
NON-ATTRIBUTABLE DEVICES OR
IMPROPER PRIVILEGE
DESIGNATIONS**

1 I, Jonathan Francis, declare as follows:

2 1. I am an attorney licensed to practice in the State of California and am admitted to
 3 practice before this Court. I am an associate at the law firm Quinn Emanuel Urquhart & Sullivan,
 4 LLP, counsel for the Plaintiff Waymo LLC (“Waymo”). I have personal knowledge of the matters set
 5 forth in this Declaration, and if called as a witness I would testify competently to those matters.

6 2. I make this declaration in support of Waymo’s Administrative Motion to File Under
 7 Seal (“Waymo’s Administrative Motion”) confidential information in Waymo’s Précis In Support Of
 8 Its Request to File A Motion *in Limine* to Preclude Evidence or Argument Regarding Uber’s Use of
 9 Ephemeral Communications, Non-attributable Devices or Improper Privilege Designations
 10 (“Waymo’s Motion”). Waymo’s Administrative Motion seeks an order sealing the following
 11 materials:

12 Document	13 Portions to Be Filed Under Seal	14 Designating Party
Waymo’s Précis	Highlighted in blue	Defendants

15 3. Waymo’s Précis contains information that Defendants have designated as confidential
 16 and/or highly confidential.

17 4. Waymo takes no position on the merits of sealing the designated material, and expects
 18 Defendants to file one or more declarations in accordance with the Local Rules.

19 I declare under penalty of perjury under the laws of the State of California that the foregoing is
 20 true and correct, and that this declaration was executed in San Francisco, California, on January 17,
 21 2018.

22 By /s/ Jonathan Francis
 23 Jonathan Francis
 24 Attorneys for WAYMO LLC

25 **SIGNATURE ATTESTATION**

26 Pursuant to Local Rule 5-1(i)(3), I attest under penalty of perjury that concurrence in the
 27 filing of this document has been obtained from Jonathan Francis.

28 /s/ Charles K. Verhoeven
 29 Charles K. Verhoeven